

The Leesburg Planning Commission met on Thursday, March 17, 2005 in the Council Chambers, 25 West Market Street, Leesburg, Virginia. Staff members present were Wade Burkholder, Brian Boucher, Christopher Murphy, Susan Swift, Tom Mason, Calvin Grow, Lyle Fisher, David Fuller, Bruce Douglas, Steve McGregor, Nick Colonna, and Linda DeFranco.

CALL TO ORDER

The meeting was called to order at 7:00pm by Chairman Vaughan.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: Chairman Vaughan
Commissioner Barnes
Commissioner Bangert
Commissioner Hoovler
Commissioner Jones
Commissioner Kalriess
Commissioner Wright
Mayor Umstatt

ADOPTION OF AGENDA

Commissioner Wright moved to adopt the agenda as presented.

Motion: Wright
Second: Kalriess
Carried: 7-0.

APPROVAL OF MINUTES

Commissioner Hoovler moved to adopt the minutes of the March 3, 2005 meeting as presented.

Motion: Hoovler
Second: Barnes
Carried: 6-0-1

Commissioner Bangert abstained from the vote.

CHAIRMAN'S STATEMENT

Chairman Vaughan reviewed the agenda for the members of the public.

PETITIONERS

None

ZONING**TLSE 2004-04 Potomac Station Convenience Store with gas pumps and carwash,
601 Potomac Station Drive, NE – Wade Burkholder, Planner**

Wade Burkholder came forward and explained changes to the conditions for approval, namely that Paragraph #5 was modified to clarify the intent of “No Modifications Granted or Implied”, and Paragraph #8, the statement “all rooftop equipment shall be screened from public view by appropriate architectural elements”. The lighting specifications were also added..

Christine Gloeckner, representative for the applicant, came forward and stated that they agreed with the revised conditions and had nothing to add at this time.

Commissioner Kalriess asked if the dumpster location would go through the Board of Architectural Review. The answer is yes, this will be reviewed by them.

Chairman Vaughan asked about the geoblock pullover area coming out of the entrance to the carwash. He doesn't understand why it is there.

Tom Whipp of Dewberry said during the review staff asked for an alternate exit from the carwash in case it broke down. The geoblock would allow this to happen. Mr. Vaughan asked if there would be any traffic problems should this happen. Mr. Whipp said there would be no traffic flow issues.

Commissioner Bangert moved that the Planning Commission accept Special Exception TLSE 2004-04 Potomac Station Convenience store with gas pumps and carwash subject to the conditions listed in the staff report.

Commissioner Kalriess went on the record to say he was voting in favor of this application because it passes all tests required for the historic overlay architecturally and the land use. He went on to thank the applicant for the architectural treatment of the canopy.

Motion: Bangert
Second: Hoovler
Carried: 7-0

PUBLIC HEARING

TLSM 2004-0001 – Meadowbrook – 324 acres from Route 7/15 Bypass to Masons lane between South King Street (Rt. 15) and Evergreen Mill Road (Rt. 621) and Stowers Lane – Christopher Murphy, Sr. Planner

Chairman Vaughan set out the time limitations for the public speakers as follows: 15 minutes for anyone representing a group such as KSLB, 10 minutes for other groups representatives and 3 minutes for individuals.

Randy Minchew, representative for the applicant, gave a presentation on the Meadowbrook application. He indicated the site in the southwest section of Leesburg, consisting of 342 acres. The various recommended uses for the parcels were presented, ranging from residential to mixed use to commercial. He pointed out the residential units per acres of the surrounding communities such as Leesburg, Estates, Greenway Farms and Woodlea Manor to mention a few. The northside is the mixed use area with commercial space, open space and some residential space. In 1982 there was an application to the Loudoun County Board of Supervisors for two to four dwellings per acre on the north end of the property with less density in the remaining portion. He pointed out how they have certain areas that have maintained these densities. He pointed out that the proposed uses are in compliance with the 1997 Town Plan.

The developer is offering 11.5 acres of land for the Evergreen Mills Elementary School expansion, contributions to the improvement of Virts Corner, Battlefield Parkway improvements, Route 621 improvements with traffic signals, improved access to the schools in the area, finishing the landscaping and widening of Rt. 15, and building a portion of Battlefield Parkway. In addition there will be parkland, bike trails, wetland preservation, stormwater management and cash proffers to the fire and rescue services.

In conclusion Mr. Minchew summed up the project, pointed out that it is designed to reflect Leesburg's historic character, be compatible with surrounding neighborhoods, will include a commercial and employment center, and will manage the landscape to comply with Town Plan policies. He encouraged interaction with the Planning Commission through workshops, and receiving comments from the public.

Chris Murphy, Senior Planner came forward to provide the staff report on this project. The issue is whether the 324 acre tract should be rezoned from R-1, single-family residential to PRC – planned residential community for the purpose of developing the mixed use project of 1,328 dwelling units and 275,000 square feet of commercial use. Staff recommends denial of TLZM 2004-0001 based upon the failure to demonstrate additional development benefits justifying residential density that exceeds the base density allowed per the Town Plan. In order to comply, criteria for additional density would require traditional design, affordable housing, elderly housing, environmental protection and community appearance, historic preservation and mixed use.

Required improvements would include frontage improvements on Route 15 from Masons Lane to Evergreen Mill Road, frontage improvements on both sides of Evergreen Mill Road, frontage improvements along the property on Masons Lane and Stowers Lane, construction of Battlefield Parkway from Evergreen Mill Road to South King Street, design and dedication for a new interchange at the Route 7/15 bypass and South King Street. There are also several recommended improvements which include additional lanes on South King Street, Evergreen Mill Road, and Battlefield Parkway

Bruce Douglas, Senior Planner came forward to highlight environmental guidance for this plan. The design should conform with the old and historic nature of the center of town. There are questions regarding the density, conserving the natural resources in the area, and providing open space. There are not enough recreational opportunities on this site. Also, the off site road improvements, including the layout of the streets and homes on the sites need to be closely reviewed.. The office square footage is below what is required in the Town Plan. There is an identified wetlands area that should be an open space area. The sketch plan shows what will be preserved and what will be built out.

Tom Mason, Director of Engineering and Public Works addressed the transportation element of the plan. Mr. Mason went through all of the above mentioned proposed improvements and compared what is required to what is being proposed. Currently the gaps in the improvements are as follows: frontage improvements on Route 15 from Masons Lane to the southern property line, full road improvements including two lanes along Evergreen Mill Road from Wallace Drive to Masons Lane, frontage improvements along the property on Masons Lane and frontage improvements along the property on Stowers Lane. In addition the preliminary design and dedicated right of way for the future interchange at Route 15 and the 7/15 Bypass, traffic signal and ramp improvements at the 7/15 Bypass interchange. The improvements are currently not part of the application.

Chris Murphy stated that the proffers have been amended, however, they have not yet been provided to staff. These proffers will need to be reviewed. He addressed the phasing of the transportation improvements and said that the development of the mixed use center can occur without any road improvements taking place until later. Also Phase II with over 700 houses can be built prior to any road improvements taking place. This adds up to over 55% of the residential units being built prior to any transportation improvements. The proffers delay the improvements. If this were by right, the transportation improvements would be required much earlier in the development process. This could result in the town being obligated to put in some of the road improvements. With regard to the design concept, it is merely conceptual at this point and subject to change. Staff recommends denial of TLZM 2004-0001.

Chairman Vaughan opened the public hearing at this point. He reviewed the time allowances for public comment once more and called the first speaker.

Al Lewis of 407 Meade Drive, representing the 125 members of Keep South Leesburg Beautiful, began with a powerpoint presentation to the Commission. Mr. Lewis expressed the concern that the citizens of the area have and said they are here in support of the Staff denial of TLZM 2004-0001. They have submitted a petition with over 1400 signatures opposing this development. The impact on traffic, schools, taxes and the environment is too much for the area to bear. The applicant has failed to submit a noise study, a tree stand study, the traffic impact analysis contained technical inconsistencies and would require roadway improvements to be funded by others rather than the developer. The fact that the development could have a significant build out prior to any improvements is worrisome. Impacts on schools include overcrowding, increased traffic, redistricting and significant costs for construction, operation and road improvements for any new schools. The town is not obligated to rezone this land, but the applicant should assure that what is put in is in compliance with the surrounding area. Tax revenue generated will not cover operating costs associated with them. The town is in the middle of revising the Town Plan, they are concerned that the new plan does not support the goals and visions of the residents. KSLB would like to work with the Town Council and staff to assure the new Town Plan supports low density/low impact design, while encouraging new and innovative ideas that benefit Leesburg. KSLB supports denial of this application.

Cathy Duerbeck, 533 Deermeadow Place, representing the Greenway Farm Homeowners Association came forward to deliver the following message: The Centex proposal to rezone this tract of land from R-1 to PRC will have a major negative impact on their community. Traffic impact and schools are of concern. Many car trips will be added, so they are requesting that any road improvements be first to occur. The school proffer does not assist the overcrowding situation. The current submission contains no significant changes to the original submission, therefore the Greenway Farms HOA supports denial of this application.

Mike Koenig of 502 Binns Court, on the Woodlea Manor HOA and speaking on their behalf to ask for denial of this application. The negative impact on transportation, schools and taxes cannot be supported by these citizens. Their position does not oppose development, but asks that it be carefully planned.

Ann Jansen, 105 Balch Springs Circle, Evergreen Meadows HOA, has seen a great desire to become involved in this application. The residents have become very active and Ms. Jansen just wanted to make the Commission aware of this.

Hub Turner of 1107 Bradfield Drive, SW said the most important element that has to be brought up is the current condition pertaining to the development, not years past. He is disturbed about the density and the number of developments in this application. This will have great impact on the traffic in the area, over 60,000 to 70,000 trips will be generated by the new development in the area. Unfortunately the town did not receive the proper proffers from the Greenway Farm Subdivision and very few from Woodlea Manor so

road improvements were not made for the additional traffic they generate. He thanked the staff and said it is important that the traffic impacts be considered first and foremost.

Jennifer DeNigris of 101 Shana Drive in Evergreen Meadows. The proposed 228 multifamily units are adjacent to the school and recreation facilities used by this neighborhood. She thought mixed use was more commercial, not residential. Mr. Minchew stated that he had meetings with the residents in the southwestern part of town. At that point there was strong opposition to the multifamily units. Originally there were 156 units, now increased to 228. How is this working with the citizens? The applicant talks about the zoning of 4.25, but in actuality it is 27.2 in some town house areas. They are very opposed to this type of density.

Dawn Barrett of 204 Lawford Drive has two points. She is on the Board of the Leesburg Girls Softball League. There are twenty teams with three fields to practice on. Adding more homes will decrease any practice areas. She grew up in Connecticut – in the '70's it was a booming place, then the bottom fell out and things became half built. People left because of the blight. Right now we're on a wave, but be careful that the downs don't put us into a similar situation.

Tom Martwinski 405 Salyor Way, thanked the Commission for the opportunity to speak on this application. This application is an insult to the community, Council and planners. Two plans were submitted, neither of which reflected the wishes of the town and the citizens. He feels that a third submission should have fees associated with it to compensate for staff review, etc. The plan is not consistent with the South King Street development. The Woodlea Manor density is closer to the R-1 that this land is currently zoned. They have a lot of work to do, and the developer should step up and work with the community. They are not opposed to development, but want to see it done right.

Randy Buffenbarger of 420 Lacy Court. He comes from Ohio and likes the beauty of the County. Opportunity is profit. The builder is here for profit. There is lot's of money to be made and our county is growing very quickly. Please take a close look because once this is done, they will leave with their profits and we will be left to make things work.

Roberta Griffith of 853 Smarts Lane came forward as a member of the Tree Commission. A major goal of the Town Plan is to save the tree canopy. This has not been addressed here, and she would like to know specifically what this applicant is doing to preserve the trees in this development. This is an entranceway to the Town, we are a Tree City and the trees must be preserved.

Louis Zeidman 405 Werner Court, thanked the Commission for the opportunity to speak. He is from Montgomery County and pointed out how things grew quickly and then the people left. The area was faced with 15 schools that closed leaving the county with the bill. Now the area is booming again and there is little room to expand. This is what Loudoun and Leesburg are facing. It started in Eastern Loudoun and is now here. Many years ago there was a project called the capital beltway, that was supposed to fix traffic problems for forty years, well it didn't and how they are trying to play catch up to keep

up with things. Leesburg is reaching its limits, please let the citizens rely on their leaders to make sure that they have the infrastructure required to live comfortably in the area. With the proposed density, you might as well move to DC.

Ann Jones of 1222 Bradfield Drive complimented the staff for their fine report and presentation. Mr. Minchew mentioned fiscal impact and she does not understand the rationale that they are coming in with. This second submission is no improvement and it is time the applicant takes the citizens requests and concerns seriously.

Juan Bocher of 398 Claggett Street thanked the Commission for the opportunity to speak. Tonight is a demonstration of the concerns that exist within town regarding the proposal. They are not anti proposal, just want to be careful about what comes in. Base this all on traffic impact, taxes, schools, and the environment. They look forward to working with the Commission, and he thanked the staff for their assistance in providing information, toward a favorable resolution to this application.

John Tenet, 503 Wolf Court, Woodlea Manor, President of the JL Simpson PTO. He provided some numbers, Evergreen Mill is 80 students over capacity, in the fall this will be 194 over capacity. The teachers lounge is now a classroom. The proffered school will be a K-2 and Evergreen Mill will be 3,4,5. He thanked Centex for reuniting the residents of South Leesburg after the civil war that took place last year over stop signs.

Chairman Vaughan stated that the hearing will remain open for ten days. He asked that any comments be submitted during this timeframe. He asked Mr. Minchew if he would like to rebut any of the comments.

Mr. Minchew said rather than do that this evening, he would like to request a worksession with the Commission to address the comments and other issues. Mr. Vaughan asked if he wanted a worksession and not a vote on this application at this time. Mr. Minchew responded that yes, that was what they would like to do. Mr. Vaughan said there was a long way to go on the application. One task is to decide what use they want this application to have, taking into consideration what the 1997 Town Plan says and what the 2005 Town Plan revision sets out for this area, along with the concerns of the citizens.

Commissioner Jones asked Tom Mason about the frontage on Rt. 15 and whether there is existing right of way to widen the road. Mr. Mason replied that there would need to be additional right of way acquired. There are scheduled to be four levels of houses along Rt. 15, and they are very close to the road. There doesn't seem to be adequate setback, and this doesn't conform with the plans for the gateway to Leesburg. He felt that Centex had brought forward some good designs, but they have ruined the density. The 1997 Town Plan and its current rewrite are setting out what is desirable where. Mr. Jones then addressed mixed use. In order to have commercial uses that work, they need to be spread throughout the neighborhood, not put into one location. There isn't enough open space, and he asked how the percentage was calculated. The Tuscarora Creek watershed needs to be dealt with more sensitively.

Commissioner Kalriess asked Chris Murphy about density transfer. Mr. Murphy replied that in 1983 there was discussion about density transfer from one area to another. This was designed to avoid suburban sprawl. This was incorporated into the Town Plan in 1997 and is open to interpretation. Mr. Jones said that TDRs (transfer development rights) are not legal in Virginia, but Virginia let Loudoun County do this when two parties agreed to them. Mr. Kalriess then went on to ask some more questions about the density percentages. How will the AADPs affect the review of this application? Question about open space/park requirements, are bodies of water included in the open space calculations? He is troubled about the soundwall along Rt. 15 and feels that this needs to be fixed. He asked for clarification regarding Battlefield Parkway and whether it was a requirement of the subdivision ordinance. Mr. Mason replied that this was part of the ordinance. He asked Mr. Minchew regarding the density issue. The staff report says they are over the density and this seems to be a flaw. He asked Mr. Minchew to comment on the staff report numbers. Mr. Minchew commented on the AADPs which set out the densities for this area. In the 1997 Town Plan the density numbers remain, but there is no mention about the AADPs. They interpreted this as a bonus number over the recommended density. He quoted density language from the staff report which essentially said that 4 was the threshold for desired density. Mr. Kalriess asked for clarification on the AADPs and density number. Susan Swift said that the Town Plan supercedes the AADPs. If the AADPs need to be amended, this will be addressed by the town attorney. Mr. Kalriess then asked about excess parking in the mixed use area. Mr. Minchew responded that shared parking could be possible depending on the uses in the center, and once those uses are known, the parking spaces could be adjusted accordingly. Mr. Kalriess said he appreciated the design guidelines and said that they made following the project much easier. However the density and transportation issues need to be worked on. The mixed use center is missing what the Town Plan set out. The site addresses a walkable area, how can it be walkable with a four lane highway dividing it? He feels that there is still much to be done to bring this plan to a more desirable stage. Mr. Kalriess asked Bruce Douglas if the development in the wetlands area was superimposed over the wetland area. Mr. Douglas responded that there are two different delineations depending on the wet and dry season. He did not know how much of the wetlands area will be developed.

Commissioner Hoovler said that Commissioners Kalriess and Jones had asked some key questions. Density is the biggest problem. The applicant hasn't done anything to mitigate the impact. Regarding the schools, this will impact all levels of schools, not just elementary. Chris Murphy pointed out the numbers that were part of the report with an estimated student impact of 716. With regard to the mixed use center, the density of the development and location of neighborhoods will force people into their cars to drive to it. He asked Mr. Minchew if they had considered locating the mixed use center in another area, or spreading it throughout the development. Regarding the transportation proffers, the gaps in the plans need work. Mr. Minchew said that in the new proffers there were some changes that closed these gaps. Mr. Minchew said that Battlefield Parkway would be built as a Phase I road. Route 15 improvements will be built according to Town Plan requirements. Evergreen Mill Road will be improved, Stowers Lane is not in the Town

Plan, so this will have limited improvements. Mr. Hoovler went on to address alleyways that are part of the plan, who will maintain these as roadways? Mr. Minchew said that this will be up to Homeowners Associations since they will be private roads and their funding will come through association fees.

Commissioner Hoovler went on to say that the 40-foot setbacks are not acceptable. The 100-foot requirement should be achieved. He asked if noise abatement studies had been done regarding the additional traffic generated. Mr. Minchew said that noise studies had not been done. With regard to the setback size, they were trying for a neotraditional look that pushes houses closer to the road, but they will rearrange this. Mr. Hoovler had some concerns about the condos and multifamily units and their impact on the wetlands. What will the effect of the bypass be on the condos, what is the height of the buildings? Bill Neville responded that it would be 58-feet or four stories, with a pitched roof. There will be a 100-foot setback from the roadways. Mr. Hoovler asked Chris Murphy about the 25% open space, of this, how much needs to be active recreation space. Mr. Murphy responded 2 acres of recreation space for every 100 dwelling units. Mr. Hoovler asked Mr. Minchew asked if the current ballfields were part of the open recreation space calculations for this application. Mr. Minchew responded that yes, they were part of the calculation and they would contribute to Parks and Recreation for their maintenance.

Mayor Umstattd thanked everyone for their presentations. She expressed concern that the new proffers had not been presented to staff and commented that they were late in the process. These new proffers could have significant impact on this application. She asked Mr. Minchew about building Battlefield Parkway in the first phase, would this be before any buildings are put up? Mr. Minchew responded that it would be during the first phase. Regarding the mixed use center, are the 54-foot high buildings allowed by right or is a proffer necessary? Brian Boucher said by right is 45-feet, but higher could be allowed through special application. The Mayor then asked is the school site was a gift or was this to be a lease agreement? Mr. Boucher said this would depend on approval of the application. Mr. Minchew said they worked with the school board and they are proposing a lease dedication agreement. This would be available immediately at \$1 a year rent which would allow the school board to begin construction earlier. Regarding the Rt. 15 setbacks, this is a major north south route, she asked if there were any pictures available of houses close to such a major roadway. The Mayor then asked Mr. Minchew is he had any additional comments on the new proffers. Mr. Minchew said that they were working on the transportation issues, and were changing the plans to accommodate staff comments.

Commissioner Wright asked what the deadline for this application was. The deadline is June 28, 2005. This would push the need for action up to about a month and half before that. How long will it take staff to complete review of the new submission. Mr. Murphy said for an application of this size it takes at least four weeks or more. Brian Boucher added that his review is the last one and takes a long time because of the complexity. Mr. Wright asked Mr. Minchew about the list of variances. How did they get to three as density and where are you about getting above that. Mr. Minchew said this was a rezoning density and can be obtained through proffers. They justified the density through

amenities. The staff has said that density above four is not achievable. They are still working through the justifications. Mr. Wright said he is troubled by the phasing which he feels is a disconnect from the Town Plan. This seems to allow the deficiency to continue and get worse before it is built. He doesn't understand the applicant's thinking about why they are phasing the road improvements. Mr. Minchew said that they are focusing on Battlefield Parkway which will take the traffic through to the Greenway. This should take traffic away from the bypass. Mr. Wright said the staff recommendation that construction should not start until Battlefield is complete to the Greenway. Mr. Minchew said that they could not do this because that is not how the cashflow for these improvements works. Mr. Wright asked if the applicant was going to revise the 40-foot setback to 100-feet? Mr. Minchew said they would take the comments and review this setback issue. Mr. Wright said that after all the comments, and based on the deadline, review time, etc., a new revision wouldn't be reviewed until close to the deadline. Significant issues are density, deficiency in parking, open space area, watershed and floodplain issues, and traffic network. The clock seems tight to get this application to the point of a vote. Mr. Minchew responded that this is a large application. They want to incorporate all of the comments into further review by the applicant.

Commissioner Bangert asked if they still planned to have this to Council in June or are they willing to waive the deadline. She doesn't feel that there is adequate time for all of the review that needs to be done. Mr. Minchew said he really wants to move forward on this, but if extending the deadline helps the Planning Commission, then they will consider it. Ms. Bangert then asked if anything had been presented to the school board regarding the 11.5 acres. The school board usually looks for 15 to 20 acre sites for schools. She then asked who did the costs regarding the operational and capital costs. Susan Swift said they got these from the school board. Ms. Bangert said in the county CIP the costs go up significantly, for the cookie cutter school. This is not a cookie cutter school so it will cost more. The operational costs also seem to be low. She doesn't like putting in a development that has roads at a level D which the multifamily area will create. She doesn't want to see the citizens stuck with something that is a problem. Regarding the contribution for Virts Corner, is this a contribution toward what the town will need to do? Mr. Minchew said yes, this is a contribution only. Ms. Bangert asked if there would be other contributions for public facilities such as police, fire and rescue, or library. Mr. Minchew said no, none had come up so far. Loudoun Cares is also looking for land in Leesburg, have they contacted you? No. Is Mason's Lane going to continue to Evergreen Mill? Chris Tazenelli said the intention is to turn Mason's Lane up to Battlefield Parkway. It will not connect to Evergreen Mill, and yes, there will be a cul de sac. Ms. Bangert asked if the homeowners along Masons Lane have been notified. Ms. Minchew said that Ben Webber went door to door and notification was mailed. She then asked that the applicant open discussion with the County about using their capital facilities numbers.

Commissioner Barnes asked if the applicant agreed with Tom Mason's road improvements. Mr. Minchew responded that they agreed to the Battlefield Parkway part, but not all of the improvements. Mr. Barnes asked if they got approval, would they agree to the road improvements put forward. Mr. Minchew said they will work with Mr.

Mason. Mr. Barnes asked what price range home would be included in this application. Mr. Minchew said this will be an upscale community. Mr. Barnes asked if affordable dwelling units would be included. Mr. Minchew said that since the town does not have an affordable housing requirement, this had not been addressed. Mr. Barnes stated that this was important to him and asked the applicant to strongly consider this.

Chairman Vaughan asked Mr. Minchew if they could build this development within a 2 or 3 density number without financial strain. Mr. Minchew said certainly this could occur, but the proffered transportation improvements would have to be decreased. Mr. Vaughan said that currently there are some expensive, large houses being built on Masons Lane. This project will back right up to those homes. Spreading the commercial/retail throughout the community is a reasonable request. Adding office space should also be considered. Mr. Minchew said they did not see any Town Plan support for the areas other than residential. Is the school site part of the open space? No. In terms of phasing, often the developer leaves and the town is left with the expense of finishing the roadways. All the trails are 8-foot trails except the trail around the pond which is 6-feet. If the trail is going to be there, make it 8-feet. There needs to be parking for the recreation area. With regard to walkability, the parking requirements should be reduced. With regard to tree save, how do you plan to address that. Mr. Minchew said there are no real tree stands in the area. They'll be glad to meet with the Tree Commission to discuss. Mr. Vaughan then asked about the per dwelling proffer to fire and rescue. He feels that \$100 per dwelling is low. Regarding the alleys, are there any other proposed private streets in this application? All main streets will be public. There has not been much mention of the impact on the airport. The Mayor mentioned that this site had been mentioned by the airport commission. Mr. Minchew said that this site is not in the noise contour, nor in the approach and takeoff pattern. Mr. Vaughan said they do not want to continue to put more residences near the airport. He asked the staff to have the airport commission comment on this application. There have been meetings with both airport staff and the airport commission. The Mayor's comment is in regard to the 7500 foot residence free zone. This is not possible since that mile essentially stretches into the downtown sector. The Mayor said the Commission has pointed out that the flight schools don't follow the standard pattern for landings and takeoffs, and tend to fly around all over the place. Mr. Vaughan asked that the vision they have for the property is the same as that of the citizens. He feels that there are some disconnects and the rewrite of the plan should include differences. Mr. Vaughan then said a worksession should be scheduled. Mr. Minchew said that they will take tonight's comments and incorporate them as best they can. They then would like to work with the staff and bring them back to the Commission. Susan Swift said that many changes were code requirements, but some major issues have come up that require the Commission to provide input on, e.g., density, the airport issue, moving the mixed use center and proffer phasing. Staff has already met with the applicant for a year, and now it is time for the commission to become fully involved with their comments.

Commissioner Kalriess said they need to approach the process by setting overall goals. One thing that seems to be missing is dealing with the density problem early on. Other jurisdictions have what's called PDRM, Preliminary Design Review Meeting, where the

applicant sits down with staff and the first thing that's resolved are the major issues. The Planning Commission should focus on the use of the area and the guidelines, rather than the details of the proposal.

Chairman Vaughan asked if the Planning Commission was in favor of worksessions? The response was yes.

Commissioner Wright is concerned about the number of open issues that there are with this application. There needs to be some commitment from the applicant on where they might make some changes. With the number of issues it would be a waste of time and money to go through several iterations of the application. They need to pinpoint the issues.

Mr. Minchew said yes, some of the numbers and requirements vary from the ordinances and Town Plan. They are trying to use the guidance of these to complete the text based formula and putting it into the application. How the application of the formula applies to the project is something that they need to get consensus on.

Commissioner Jones said this was his only opportunity to comment on this. He wants a worksession that will provide more discussion. Rather than talk about density, he would like to talk about neighborhoods and what they want to see in these neighborhoods.

Chairman Vaughan asked the applicant to get their revisions in to staff. Commissioner Kalriess said they haven't determined what they want, they need to resolve this before they have further conversation with the applicant. Commissioner Hoovler commented that this is the first exposure to this development. They need to decide what they want to preserve and what they want as an end result. They do need to provide some policy to the applicant so an open dialogue is very important. Commissioner Wright said this is a neighborhood version of the town plan. Susan Swift said if they could work through this application, it could free up the Town Plan to become the document it should be. Mr. Hoovler was concerned about citizens comments and what they would like to see. Will these comments flow into other sectors of town with regard to density and neotraditional design. If they can come to a consensus now it could help the town plan evolve for all areas of town. Commissioner Wright cautioned that this could be construed as "hot spot" zoning and potential amendment. If they decide one way on this plan, how will this impact the entire area is what is at stake.

Chairman Vaughan went through the calendar with available dates and it was decided that Monday, March 28 was the best date.

Juan Bocher came forward and asked for clarification on the scheduling of the worksession. Chairman Vaughan said the public could attend the worksession and view firsthand what transpires.

Commissioner Jones asked if the applicant would be present at the worksession. Chairman Vaughan said yes, they would be.

COUNCIL AND REPRESENTATIVES REPORT

None

STAFF AND COMMITTEE REPORTS

Chairman Vaughan attended the Board of Architectural Review meeting on Monday, March 14. Staff was present to talk about the Town Plan and receive comments from the BAR.

Commissioner Hoovler attended the Economic Development Committee meeting on March 16. They do have some comments that they will be forwarding to the Planning Commission.

Commissioner Jones attended the Environmental Advisory Commission meeting on March 16. The staff reported that they were instituting an Environmental Management Plan that had all agencies participating. He asked that this be incorporated into elements of the Town Plan. He is concerned that there is no environmental element to the Town Plan, this program might pick up the slack for that.

COMPREHENSIVE PLANNING

There was a continuation of the Land Use element of the Town Plan beginning at 11:00pm.

Commissioner Kalriess commented on the densities shown and said he would like further discussion on density.

David Fuller said that there are four densities shown, and went on to explain them and where they are located on the land use map.

Commissioner Kalriess feels that we are allowing 1-4 in low density areas. Should this range even be allowed. There are two opinions being expressed, 1-2 or 1-4 dependent on the net positive impact on infrastructure.

Commissioner Wright said the R-1 doesn't get what we need in town. This doesn't meet the criteria with what we have left. 1-4 is comfortable if applied in the right areas.

Commissioner Kalriess emphasized the net positive benefit issue. Don't zone by politics, get everything in the plan on the same page. Look at the average in all of the subdivisions and those surrounding subdivisions. We will not get anything unless we do something to provide a method to get there. One house per acre is not conducive to new residential construction in Leesburg.

Commissioner Wright asked if density transfers and/or bonuses are addressed in the Town Plan.

Susan Swift commented that this is in the Zoning ordinance – this was taken out of the plan so that these things can be mandated which occurs through the Ordinance. Compatibility is an important factor in reviewing the plans. Is the density number the problem or is it the range?

Chairman Vaughan said neither is the problem, the plan is not consistent with the Visioning sessions. We need to understand the citizens vision is and make sure it is in the Plan, or not in the Plan for some reason.

Commissioner Jones said in the current plan there is a density of 2-4/5. This is what the applicant is using as a guide. One is the base, the other is the bonus density. We need to support the Town Plan.

Commissioner Bangert said in the Visioning sessions, this particular parcel was proposed business, not residential. This is why the citizens are feeling a disconnect at this time. Mr. Fuller responded that those were small exercises that occurred in one session and it was only one idea for this property.

Susan Swift asked if Meadowbrook wasn't on the table, what number would be comfortable for density.? Mr. Kalriess said the language is there, net positive benefit, perhaps we need to insert a good example.

Commissioner Bangert asked about cluster development. Commissioner Wright said this was pulled because it was approved administratively. They needed to get a comfort zone on what the criteria is for review of clustering.

Chairman Vaughan asked about LU 16. Commissioner Bangert asked for a broader explanation for regional office. Steve McGreggor provided an explanation of the meaning. Commissioner Kalriess said he really liked this concept and asked that they define it better. Commissioner Bangert had another question on net acreage with land use and wanted to know if this applied to a mixed use center. Commissioner Wright said there are several varieties of mixed use centers, some of which do not allow residential.

Commissioner Bangert had some comments on the transportation and the impacts of limited access. She also asked if under regional office the residential component of 40% seems high.

Commissioner Wright agreed that they need to be cautious about creating choke points. He also thought that 40% residential was high for the mixed use regional office component.

Commissioner Kalriess asked for a better definition of the JLMA and light industrial use. The emphasis should be put on office. There should be a better definition of the

transportation element. He thinks the 40% residential for the mixed use regional office is not a problem. He feels that there should be flexibility associated with this on the basis of benefit to the community.

Commissioner Kalriess would like language inserted that allowed the Planning Commission to vary from the set use if it would benefit the community.

Commissioner Jones wanted to make sure that the airport keeps the ability to invite in proper uses on the land surrounding it.

Commissioner Kalriess commented on the Community residential, mixed use center retains pad sites. He would like to see the definition of neighborhood retail. The whole issue is walkability, and not to create strip malls. Commissioner Bangert said this should also be phased early on so that it is not a last minute surprise. Susan Swift asked if it was the use or the design that they had problems with. Commissioner Kalriess also said he would like to see designs that reflect the character of Leesburg, not cookie cutter anywhere USA.

Chairman Vaughan wanted to make sure that BioTech was included in the business/industrial. Commissioner Kalriess said if we want this, we need to streamline the process. They want to move quickly and if we keep it business as usual, then we will lose. Could we write into the Land Use Plan the ability for BioTech to come in and go through the process quickly.

Commissioner Jones said it was more sensible to not be specific about a certain industry, such as BioTech. Mr. Fuller suggested the term Emerging Technology.

There was some discussion on the term light industrial. It was generally felt that this term should not be part of the new Town Plan. Further discussion went on about the location of light industrial uses. It was emphasized that there was a need to permit airport related light industrial uses on the land categorized Regional Office immediately west of the airport.

Susan Swift said that after the Town Plan is complete, there is a commitment on the part of management to revamp the development review process.

This work session concluded the Planning Commission's pre-public hearing work sessions on the draft Town Plan.

SUBCOMMITTEE MEETING

Commissioner Bangert asked the commission if they perceived a conflict of interest with her serving on the County/Town joint planning effort.

Chairman Vaughan met with Mr. Elgin of the Loudoun County Planning Commission. They have a different way of dealing with staff and citizens. They do things more

independently than the town commission. Should they try to meet with the CPAM on Creekside and Crosstrails, then to the Fort Evans project.

There was some question on the setup of the meeting of March 24. There was some question on whether this was to be a joint meeting of the two commissions, or if it was just an opportunity for the Town Commission to get up to speed on these two applications.

Susan Swift said this was not a town case and there would be no preview packet. Our role is simply to be briefed.

Commissioner Bangert questioned the timeframe of these presentations and the questions that might be asked. There was discussion of the purpose of the meeting, how many County Commissioners would be in attendance. Further discussion went on about the JLMA, AADPs and UGA and what they set out for this area.

Once this presentation has been made, the Commission will then move forward to begin planning what they would like to see in the JLMA/UGA. There will be discussions to arrive at the vision of what the town would like to see. Further there needs to be a procedure on how the joint meetings will work and what outcome is desired. Has a timetable been set? Commissioner Bangert said that the two subcommittees should meet prior to the Council/Board of Supervisors meeting so that the timetable can be set.

ADJOURNMENT

The motion was made and seconded to adjourn at 12:55pm.

Presented by:

Approved By:

Linda DeFranco, Clerk

Clifton Vaughan, Chairman